

Desentralisasi Asimetris di Indonesia Pasca Reformasi = Asymmetric Decentralization in Post-Reformation Indonesia

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Abstrak

Penelitian ini bertujuan untuk menjawab tentang desentralisasi asimetris di Indonesia pasca reformasi berupa bagaimana penerapannya dan bagaimana bentuk ideal yang seharusnya diterapkan. Teori yang digunakan adalah teori Agus Brotosusilo yang bersumber dari Pancasila yang barasal dari hukum adat nusantara berupa dominannya sikap komunal dari individual, spiritual daripada materialisme dan romantisme dari rasionalisme. Selain itu digunakan juga teori lainnya berupa teori konflik Dahrendorf. Hasil penelitian ini mengungkap terjadi resentralisasi dari daerah ke pusat berupa diambilnya kewenangan pada UU Ciptakerja untuk keseluruhan daerah dan perubahan Otsus Papua, Papua Barat dan Aceh bagi daerah asimetris. UU Sapu jagat didapati resentralisasi; pertama, perizinan usaha ditentukan dan dimiliki pusat, kedua, wewenang penataan ruang terpusat, ketiga, amdal dipermudah, keempat, sanksi dimiliki pusat dan dipermudah, dan kelima, pajak ditarik pusat. Sedangkan pada perubahan Otsus Papua didapati; pemekaran Papua dipermudah, perubahan UU otsus tidak perlu persetujuan DPRP dan MRP, pengawasan domain pusat, pendirian parpol oleh Orang Papua dihilangkan dan kewajiban konsultasi parpol ke MRP dan DPRP disunat, dan jabatan wagub dapat diisi. Sementara pada Aceh tidak dipenuhinya Pengatutan lambang Aceh dan pengaturan suku bunga. Tidak terdapat harmonisasi sebagaimana teori Agus Brotosusilo karena pusat sangat mendominasi dengan terjadinya resentralisasi sehingga daerah merasa tidak dimanusiakan. Preskriptif yang ditawarkan adalah mewujudkan harmonisasi dan memperluas penerapan desentralisasi asimetris. Kesimpulannya adalah dari skema tujuan desentralisasi terdapat kemiripan antara orde baru dengan masa kini yaitu menguatnya resentralisasi.

.....This study aims to answer about asymmetric decentralization in post-reform Indonesia in terms of how it is implemented and how the ideal form should be implemented. The theory used is Agus Brotosusilo's theory which comes from Pancasila which comes from the customary law of the archipelago in the form of the dominant communal attitude of the individual, spiritual rather than materialism and romanticism from rationalism. In addition, other theories are also used in the form of Dahrendorf's conflict theory. The results of this study reveal that there has been recentralization from the regions to the center in the form of the taking of authority in the Job Creation Law for the entire region and changes to the Special Autonomy for Papua, West Papua and Aceh for asymmetric regions. The Sweeping Universe Law is found to be recentralized; first, business licenses are determined and owned by the center, second, the authority for spatial planning is centralized, third, amdal is facilitated, fourth, sanctions are owned and facilitated by the center, and fifth, taxes are levied by the center. Meanwhile, in the changes to the Special Autonomy for Papua, it was found; The expansion of Papua was facilitated, changes to the Special Autonomy Law did not require the approval of the DPRP and MRP, central domain supervision, the establishment of political parties by Papuans was eliminated and the obligation to consult political parties to the MRP and DPRP was circumsised, and the position of deputy governor could be filled. Meanwhile, in Aceh, the acknowledgment of the Aceh symbol and interest rate arrangements was not fulfilled. There is no harmonization like Agus

Brotosusilo's theory because the center dominates with the recentralization so that the regions feel they are not being humanized. The prescriptive offered is to realize harmonization and expand the application of asymmetric decentralization. The conclusion is that from the scheme for the purpose of decentralization, there are similarities between the new order and the present, namely the strengthening of recentralization.